

December 4, 2008

**Update for the Noncommunicable Diseases Rulemaking
Arizona Administrative Code (A.A.C.), Title 9, Chapter 4, Articles 1 through 5**

A.R.S. § 36-133 requires the Arizona Department of Health Services (Department) to develop a chronic disease surveillance system for the collection, management, and analysis of information on the incidence of chronic diseases in Arizona. A.R.S. § 36-606 states that the Department “shall develop and implement ... a system for reporting and preventing pesticide provoked illnesses.” A.R.S. §§ 36-1673 and 36-1675 require the Department to adopt rules for reporting blood test results showing significant levels of lead and other rules “necessary and feasible to implement the purposes” of A.R.S. Title 36, Chapter 13, Article 6.

The Department has implemented these statutes in 9 A.A.C. 4, Articles 1 through 5. Articles 1, 4, and 5 have been amended during the last few years in separate rulemakings, and definitions have been added to Articles to make clear the meaning of terms used in the Articles. Articles 2 and 3 have not been amended since a five-year review report approved by the Governor’s Regulatory Review Council in 2004. Some terms defined in these rules are used in more than one Article in 9 A.A.C. 4.

This rulemaking will:

- Move terms used consistently in more than one Article in 9 A.A.C. 4 into Article 1;
- Add or amend definitions; and
- Clarify requirements in Articles 2 and 3.

To keep interested persons informed about the rulemaking, the Department has established a Web Page for the rulemaking. Draft rules will be posted on the Department’s website for informal public comment.

Stakeholders can communicate their issues and concerns to Ruthann Smejkal, Rules Analyst for the Department, by e-mail at smejkar@azdhs.gov, by phone at 602-364-1230, or by fax at 602-364-1150.